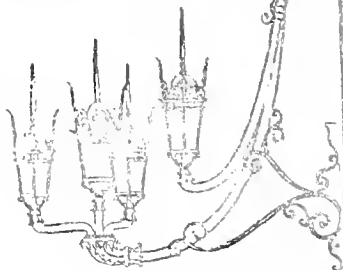


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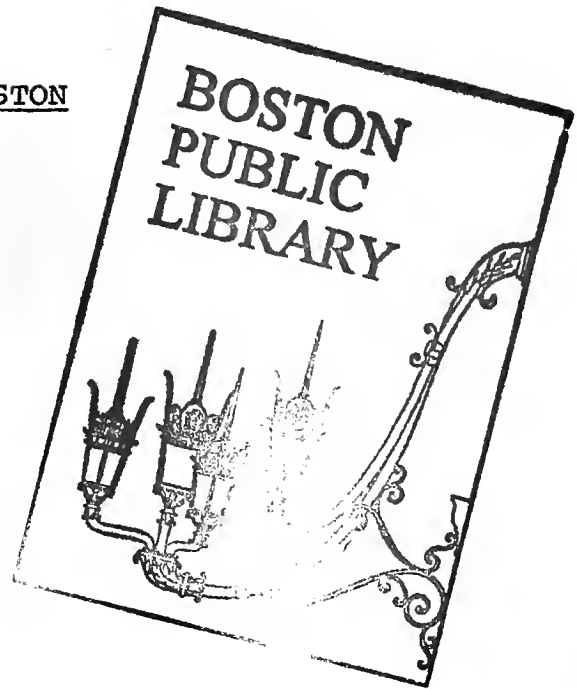


Governing Metropolitan Boston

November 1972

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GOVERNING METROPOLITAN BOSTON



A discussion of regional alternatives for the Boston Metropolitan Area prepared for the Metropolitan Area Planning Council's Technical Advisory Committee on Regional Organization by Joseph F. Zimmerman, Professor of Political Science, Graduate School of Public Affairs, State University of New York at Albany.

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GOVERNING METROPOLITAN BOSTON

The Boston Metropolitan Area has had a regional governmental system for many years. The system of governance, however, is a fragmented one in which many units of government--regular state departments, state controlled public authorities, agencies such as the Metropolitan District Commission and the Metropolitan Area Planning Council, counties, cities, and towns--share governmental powers and responsibilities.

The inadequacy of a fractionated regional governmental system has become more apparent with the passage of time, and numerous proposals have been advanced for a partial or total restructuring of the system by the creation of a middle tier government between the Commonwealth and the cities and the towns. Testifying before the Committee on Urban Affairs of the General Court's House of Representatives, Metropolitan Area Planning Council (MAPC) President John J. McCarthy stated:

"...it is an inescapable conclusion that a variety of problems and opportunities demand that a formal, effective, regional mechanism be devised which can deal effectively with areawide problems and take full advantage of areawide opportunities. Any such mechanism must, however, preserve the representative local government and participation of citizens which distinguish this Commonwealth."¹

The governmental system of the Boston region can be restructured in accordance with one of the following six models for regional governance. These models range from one involving relatively few changes in the existing system to a model which would completely replace the existing system.

- I. THE COUNCIL OF GOVERNMENTS MODEL.
- II. THE TWIN CITIES MODEL.
- III. THE MULTI-FUNCTION SERVICE DISTRICT MODEL.
- IV. THE METROPOLITAN COUNTY MODEL.
- V. THE FEDERATION MODEL.
- VI. THE CONSOLIDATION MODEL.

The consolidation model, involving the amalgamation of all cities, counties, and towns into a single areawide government, will not be considered because of its political unfeasibility in the metropolitan Boston region.

Each model discussed represents a type of federation in that governmental powers would be divided between two levels of local government. Certain powers would be exercised exclusively by an upper tier unit, other powers would be exercised exclusively by cities and towns, and still other powers would be shared by the two tiers. The models differ from each other principally in terms of the powers assigned to the upper tier unit and the method of selecting its governing body.

THE COUNCIL OF GOVERNMENTS MODEL

Supporters of the Council of Governments model hold that increasing urbanization has made regional planning imperative if costly mistakes are to be avoided and problems transcending city and town boundaries are to be solved. The objective of regional planning is to end haphazard growth by drafting and implementing a comprehensive and coordinated plan designed to guide the development of the region. Possessing only advisory powers, a regional planning commission must work closely with cities and towns, state agencies, Federal agencies, and private organizations whose activities and programs affect the region's development. To be successful, the commission must persuade the other organizations of the importance of planning and executing their programs within the framework of the commission's comprehensive plan.

By 1961, it was generally concluded that areawide planning had been ineffective because of a schism between the planners and the decision makers. In that year, the Advisory Commission on Intergovernmental Relations (ACIR) suggested that planning be made the responsibility of an organization composed of local elected officials and private citizens, and indicated its opposition to the creation of commissions "comprised solely of part-time commissioners, and dominated by professional planning staff."²

Congress in 1965 accepted ACIR's rationale and decided to involve local elected officials in the regional planning process by making organizations of local elected officials--Councils of Governments (COGs)--eligible for the receipt of grants for the preparation of comprehensive plans.³ The following year Congress provided an additional stimulus for the formation of COGs by enacting a requirement that all local government applications for federal grants and loans for thirty specified projects must be submitted for review to an organization responsible for areawide planning "which is, to the greatest practicable extent, composed of or responsible to the elected officials of a unit of areawide government or of the units of general local government."⁴

Recognizing the importance of involving the elected officials of cities and towns in the regional planning process, the Commonwealth in 1963 established the Metropolitan Area Planning Council (MAPC), whose membership is composed of representatives designated by the elected officials of 101 cities and towns, 21 at-large members appointed by the Governor, and 11 ex officio members from action agencies in the area. Legislation enacted in 1970⁵ removed the MAPC from the state-government structure while retaining its same membership composition. The MAPC, therefore, closely resembles a COG except for its gubernatorial and ex officio members.

All COGs in the United States are forums for the discussion of regional problems. Many COGs, including MAPC, are responsible for metropolitan planning, and one COG--Metroplan in the Little Rock area--operates a public transit system. MAPC could be granted additional powers by the General Court, including the power to review and perhaps veto major development plans of state departments, state controlled authorities, cities, and towns in the MAPC District.

ADVANTAGES

COGs have several obvious advantages.⁶ One of the greatest advantages of a COG is the fact it generates relatively little political opposition because very few individuals believe a COG is a threat to "home rule."

A second advantage of a COG is the establishment of a representative forum for the discussion, on a regular basis, of areawide problems. The forum should facilitate the identification and understanding of areawide problems, and hopefully may lead to a program of cooperative action to solve the problems.

Third, a COG is an organized body which can lobby at the State House and in Washington and defend the interests of its members against further federal and state encroachment.

Fourth, a COG may serve as a coordinating mechanism for local governments and/or a central secretariat which provides assistance to member governments upon request. Joint training programs, joint purchasing programs, and a procedure for the sharing of expensive equipment have been developed by COGs. And a COG can promote the signing of interlocal agreements providing for the joint operation of facilities and joint provision of services.

Fifth, a COG has territorial boundaries capable of being expanded in most instances by a vote of its members.

Finally, a COG can be a flexible instrument in that any and all units of government, including school districts, may be members.

DISADVANTAGES

The COG approach suffers all the disadvantages of the United Nations approach to the resolution of world problems.⁷ Although a large number of COGs were organized in the latter half of the 1960s, they have failed to solve a major problem in any area and many have become inactive.

Melvin B. Mogulof of the Urban Institute in December 1971 concluded "that the COG is not now capable, and must be severely strained and restructured if it is to become capable, of performing the necessary tasks of regional governance."⁸ He adds: "COGs have carved out a place for themselves because they have been useful, without being painful to member governments."⁹

The reasons why COGs have not scored major successes are not hard to find. Conflicts between the central city and suburban communities have been of long standing in many areas and COGs have been unable to resolve these conflicts.

A second reason for the lack of success is attributable to the fact that political leaders generally have been interested only in areawide problems which affect their individual communities and have not adopted an areawide viewpoint. In most cases, the number of elected officials active in a COG has been small, and the average delegate to the annual COG meeting does not identify himself closely with the COG.

Third, many COGs have proved to be little more than debating societies and their accomplishments have been limited to the preparation of areawide plans which can not be implemented. Assuming a council is able to agree upon a common course of action for its member governments, the council lacks the power to enforce its decision because decision-making authority remains fractionated. The difficulties of persuading member governments to initiate the action the council favors should not be underestimated. If cities and towns are motivated by narrow self-interest, attempts to secure

cooperative action will prove to be of no avail. Should a municipality with a key location refuse to cooperate with contiguous municipalities, effective areawide action may be frustrated.

The fact that the representative from a given city or town to the COG endorses a course of action agreed upon by the COG is no guarantee the city or town will initiate the course of action. Representatives from cities and towns to a COG tend to be oriented toward an areawide viewpoint whereas other officials in their communities may lack such an orientation. If a representative to a COG is a political rival to the other political leaders in his city or town, he probably will be unable to persuade them to follow the COG's recommendations.

Fourth, a COG is a voluntary association and every member city and town reserves the right to withdraw from membership. MAPC does not suffer this disadvantage since its member cities and towns can not withdraw their membership without an act of the legislature.

Finally, the danger exists that a COG may decide that the most effective way to solve a particular functional problem is the creation of a special district, thereby further fragmenting the area's governmental system. Worse yet, the only agreement the COG may be able to reach is likely to be a negative one; i.e., opposition to a major action proposal.

THE TWIN CITIES MODEL

The Minnesota Legislature, without providing for a popular referendum, created in 1967 a gubernatorially appointed fifteen member Metropolitan Council for the seven county Twin Cities area.¹⁰ Fourteen members are selected from equal population districts by the Governor who also appoints the chairman at-large. No local units of government were consolidated.

The Council assumed the functions of the Metropolitan Planning Commission, which was abolished, and was granted authority to review and suspend plans for special districts in conflict with the Council's development guide. The Council also was authorized to appoint a non-voting member to the board of each special district, conduct research, operate a data center, and intervene before the Minnesota Municipal Commission in annexation and incorporation proceedings. Shortly after the Council's formation, it signed contracts with the State Highway Department and the Metropolitan Transit Commission, thereby assuming responsibility for transportation planning in the area. The Council also has been designated

the criminal justice planning agency by the Governor's Crime Commission. Furthermore, the Council has appointed and provides guidance to a health board responsible for coordination of planning for health facilities, manpower, and services.

The Metropolitan Council was designed to be a policy forming rather than an operating agency. However, it assumed responsibility in 1969 for overseeing the performance of two governmental functions. Acting upon the Council's request, the Minnesota Legislature in 1969 created two seven-member functional service boards and provided for their appointment by the Council. The Metropolitan Sewer Board and the Metropolitan Park Reserve Board were designed to be operating agencies which would execute policies in their respective areas developed by the Council. The Park Reserve Board's role as an operating service body was ended in 1970 by a Minnesota Supreme Court ruling invalidating laws passed on the 121st day (one day past the constitutional limit) of the 1969 legislative session.¹¹ The Board, however, was retained by the Council as an advisory body. Opposition from the Inter-County Council, which wants the counties to operate the parks, and the Hennepin County Park Reserve District, which has acquired large areas for parks, was sufficient to block re-enactment of the original Park Reserve Board bill by the Legislature.

Although glowing accounts of the Twin Cities model have been published,¹² definitive conclusions can not be drawn relative to its effectiveness in view of the fact that the system is relatively new and is still in the process of evolution.

The Twin Cities model is an interesting one in that policy-making is divorced from policy execution. The model provides for the Metropolitan Council to determine regional policies which are to be carried into execution by service boards appointed by the Council. In theory, the Council can devote its full attention to broad policy-making for the region.

QUESTIONS

The desirability of two features of the Twin Cities model may be questioned. First, the regional governmental system is still a fragmented one in that the Metropolitan Airport Commission (1943) and the Metropolitan Transit System (1967) still exist, and responsibility for the performance of major regional functions, other than planning and sewerage disposal, has not been shifted to the Metropolitan Council. One can argue persuasively that the Council must

be granted additional powers if it is to function successfully as a regional government.

The second question involves the desirability of having the members of the Council appointed by the Governor. Although the members are appointed from districts within the region, they are legally state officials. Debate in the Legislature did not center on the need for the Council, but rather on the question of whether its members should be popularly elected. An amendment providing for the popular election of members, effective in 1970, failed to pass by three votes in the House of Representatives and by a tie vote in the Senate. The issue is not dead and it is possible that legislation will be enacted in the foreseeable future transforming the Council from a state agency into a popularly elected body.

THE MULTI-FUNCTION SPECIAL DISTRICT MODEL

The failure of comprehensive metropolitan reorganization plans to win voter approval has promoted in various areas of the United States the organization of regional special districts to solve critical areawide service problems. Creation of these districts is facilitated by state laws which usually do not provide for a popular referendum on the question of creating a district. Existing local governments continue to perform all their regular functions with the exception of the ones assigned to the special district.

The governing body of a special district usually is appointed by the Governor or by the cities and towns. Most commonly, special districts are assigned responsibility for facilities and services such as airports, bridges, tunnels, terminals, sewage disposal, parks and recreational facilities, public transportation, and water supply. These districts are uni-functional with a few exceptions. One such exception is the Metropolitan District Commission (MDC) in the Boston area, which is responsible for water supply, sewage disposal, certain highways, a police force, and certain parks and recreational facilities. Similarly, the Massachusetts Port Authority (MPA) is responsible for the closely related functions of airports, marine terminals, and tunnels.

These districts generally lack the power of taxation and rely upon service charges to finance their activities. Restricting the fund raising powers to service charges greatly limits the number and type of functions the districts can perform.

We will describe briefly two metropolitan special districts located in other states. One is multi-functional and the other has the potential for becoming multi-functional.

In Oregon, voters in the Portland area on May 26, 1970 gave their approval for the establishment of a metropolitan service district responsible for flood control, mass transportation, sewage disposal, and solid waste disposal. Voters at any time can authorize the district to provide additional services, but have not yet done so.

On September 9, 1958, voters approved the creation of the Municipality of Metropolitan Seattle with responsibility for sewage disposal.¹³ Other functions may be assigned to the district without a referendum by a concurrent resolution of the King County Board of Commissioners, Seattle City Council, and the City Councils of two-thirds of the other component cities.

The multi-function special district model suggests two alternative approaches to the reshaping of the Boston regional governmental system.

First, a new special district could be created which would assume the responsibilities of the existing districts and a limited number of additional responsibilities.

A second alternative is to enlarge the functions of an existing regional district. MDC, for example, might be assigned air and water pollution abatement, solid waste disposal or other responsibilities. A recent report by three faculty members of the Maxwell School of Syracuse University concluded with the following recommendation:

"The Massachusetts experience with the MDC should be capitalized rather than abandoned. It is a metropolitan jurisdiction, providing metropolitan services, and having a sound political base. It is our judgment that the route for Massachusetts to take is to build on the experience of the MDC, adjust it to fit the contemporary world of greater citizen participation, and employ that example for the establishment of a statewide system of regional governments."¹⁴

MDC also might be directed by the General Court to assume the responsibilities of the other regional bodies--the Massachusetts Bay Transportation Authority, Massachusetts Port Authority, and Metropolitan Boston Air Pollution Control District. This alternative involves repetition of the approach taken by the Commonwealth in 1919. In that year, the General Court consolidated into the newly created MDC the Metropolitan Sewage Commission (1889), the Metropolitan Parks Commission (1893), and the Metropolitan Water Commission (1895).

Since the United States Constitution forbids states to impair the obligation of contract and authorities have bonds outstanding, a complete amalgamation of authorities in eastern Massachusetts will not be possible until all bonds are retired.¹⁵ However, the device of the interlocking directorate can be utilized as it was by New York State in 1967. The board of directors of the newly created Metropolitan Transportation Authority (MTA) was made the ex officio board of directors of the Long Island Rail Road, New York City Transit Authority, Manhattan and Bronx Surface Transit Operating Authority, and Triborough Bridge and Tunnel Authority.¹⁶ This approach, then, involves the establishment of an umbrella agency whose board would be the ex officio board of the existing operating authorities. While this approach appears to be superficially similar to the Twin Cities model, it differs in that the Metropolitan Council has no direct operating responsibilities.

ADVANTAGES AND DISADVANTAGES

A multi-functional special district clearly is preferable to a system in which there is no regional governing unit or a system in which there are several uni-functional regional units. The Boston region has a number of problems which can be solved only on an areawide basis. Creation of an eastern Massachusetts service district, responsible for all functions most suitable for regional performance, would consolidate responsibility in one body and enable it to develop priorities and coordinate programs. And the establishment of such a district would forestall the creation of additional uni-functional units such as a solid waste disposal district.

A major disadvantage of the special district model is that citizen control is lacking and this may result in little citizen interest in the district. A related danger is the possibility that the district may function as an autonomous unit responsible

to no one. A second disadvantage flows from the fact that most regional special districts perform only one or a few closely related functions, and this fact promotes a fractionated assault on regional problems.

Finally, the establishment of a state controlled special district will be opposed by those who charge that cities and towns will lose "home rule" and the district will be an autonomous unit. Consequently, it is reasonable to forecast that opposition to the creation of a multi-functional district over which there is no local control will be strong.

Most of these disadvantages might be overcome by provisions for an elected legislature or policy board to govern the Special District agency.

THE METROPOLITAN COUNTY MODEL

Many students of metropolitan politics are convinced that serious obstacles lie in the path of any proposal to reform the governmental system in any metropolitan area by consolidating existing local governments or creating a new unit of general local government. These observers have concluded that the most feasible method to create an areawide government would be to reform the existing county government which generally has limited authority and an outmoded organizational structure. Counties historically have been highly resistant to reform, but the application of the United States Supreme Court's "one-man, one-vote" principle to county governing boards has facilitated general reform in a number of states.¹⁷

A metropolitan county may be developed either by the incremental approach or the revolutionary approach. Los Angeles County, which developed as a major provider of urban services since the turn of the century represents the first, and Dade County, Florida, which adopted a home rule charter in 1957, represents the second.¹⁸ Regardless of which approach is adopted, a metropolitan county could be created in eastern Massachusetts only by redrawing county lines since the metropolitan area covers more than one county. In 1970, Representative Paul W. Cronin of Andover filed a bill--House 4013--in the General Court providing for the redrawing of county boundaries throughout the Commonwealth to create a metropolitan county in the Boston area, eight urban counties, and four rural counties.¹⁹

The incremental strengthening of county government in a number of states during the past decade is a significant governmental development. Two examples of this trend will suffice for our purposes. An amendment to the Pennsylvania Constitution, approved by the voters in 1968, classifies the county as a municipality and extends home rule to it. In other words, a county by adopting a home rule charter becomes a municipal corporation and may perform the same functions in Pennsylvania as any city, township, or borough provided the charter authorizes the performance of the functions.

In 1963, home rule was extended to counties in New York State. Eleven of the thirteen charter counties presently have a single chief executive.²⁰ Two counties--Monroe and Schenectady--have a county manager appointed by the county legislature and nine other counties have an elected county executive. These charters also make the county responsible for several new functions. In addition, cities, towns, and villages are authorized by general law to voluntarily turn functions over to the county and many have done so.

Voter approval of a home rule charter for Dade County in 1957 did not end the dispute over the need for an upper tier government in the greater Miami area. Opponents of metropolitan Dade County challenged its constitutionality and entered a total of 155 suits affecting aspects of the new government during its first three years; the courts ruled in favor of the county. Attempts were made to emasculate the government by charter amendments in 1958 and 1961, but each was defeated. However, two amendments weakening the power of the county manager were approved in 1962; his administrative orders creating or combining departments and his appointments of department heads were made subject to the approval of the county commissioners. In May of this year voters rejected a proposal to substitute a commission-mayor plan for the commission-manager plan of administration. In spite of the continuing controversy in the Miami area, most observers agree that Dade County government can point to a number of major accomplishments since 1957.

ADVANTAGES AND DISADVANTAGES

A metropolitan county government for the greater Boston area would have four principal advantages. First, a middle tier unit would be established with sufficient powers to solve major regional problems. Second, political fragmentation will be ended on the regional level if responsibility for all regional programs is assigned to the metropolitan county government. This will enable

citizens to pinpoint responsibility for programmatic failures. Third, the county government will be able to coordinate regional programs to prevent duplication and conflict. Fourth, service and tax districts can be established so that services are paid for in most cases by those who primarily benefit from them rather than by all taxpayers.

A disadvantage of the metropolitan county model in the minds of some citizens is the loss of certain powers by cities and towns. In other words, the model will be opposed strenuously by those who view it as an encroachment upon municipal "home rule." This objection, can be expected to be raised against any proposal to grant major political powers to any regional body.

A second disadvantage involves the problem of determining the division of powers between the two tiers of government and conflicts which may arise between the two tiers after the powers are divided. A related problem is the possibility that it may become necessary to redistribute functional responsibility between the tiers with the passage of time because of changing conditions.

THE FEDERATION MODEL

Patterned after the federal relationship which exists between the national government and the states, metropolitan federation is a compromise between the existing fragmented political system and total amalgamation of the units of local government. Metropolitan federation always involves the creation of a new areawide government; existing local units of government may be continued or partially consolidated. The federation model is a flexible one in that functions can be transferred from local units to the areawide government as conditions change.

Proponents of the popularly controlled federated model argue that pollution abatement and large projects requiring a considerable capital investment and benefiting a wide area--major parks, transportation facilities, and refuse and sewage disposal facilities--should be the responsibility of a popularly controlled upper tier unit, since it would be in a position to launch needed programs mobilize financial resources in an equitable manner, and achieve economies of scale. They further argue that the regional entity should be a multi-functional one in order to permit the development of priorities and ensure that there is effective coordination of projects and programs.

Instead of granting complete responsibility for a function to the regional government, responsibility for a few functions might be shared with cities and towns. Refuse collection, for example, might be the responsibility of cities and towns, and refuse disposal might be the responsibility of the regional body. Similarly, water supply might be a regional responsibility and water distribution a city and town function. Cities and towns also could be authorized to voluntarily turn functions over to the regional unit and contract with it for the provision of supplemental services.

A new multi-functional regional government could be governed by a council with legislative and administrative powers similar to those possessed by the Metropolitan Council in the Toronto area. An alternative would be to provide for an elected council and a strong chief executive either appointed by the council or elected by the voters.

Should a decision be made to follow the federation model, a second decision will have to be made relative to the abolition or continuance of county governments in the region. These governments could be abolished and their functions transferred to the new regional unit. On the other hand, county governments could be continued and allowed to perform all or most of their current functions.

ADVANTAGES AND DISADVANTAGES

Assuming that the upper tier unit in the federated model is assigned the same powers as those assigned to the metropolitan county, the upper tier unit in the federated model would have the same basic advantages and disadvantages as the metropolitan county. The major difference between the two models is that the federated model calls for the creation of a new upper tier unit whereas the metropolitan county model utilizes an existing unit of government.

CONCLUDING COMMENTS

Regardless of which model is followed in reshaping the regional governmental system in the Boston area, certain questions will have to be faced and answered. Since each of the five models discussed represents a type of federation, a decision has to be made relative to which functions are to be the exclusive and shared responsibility of the upper tier local unit. The COG model presents the fewest problems in this respect since powers other than those relating to planning seldom are granted to the typical COG.

In designing a new or restructured regional body several possible transfers of authority should be explored: (a) devolution of certain powers from the Commonwealth level, (b) a lateral transfer of authority to the new unit from existing regional units, (c) an upward shift of certain powers from counties, cities, and towns, and (d) a combination of approaches.

A second question involves the nature of the governing body.

- Should it be composed of mayors and chairmen of boards of selectmen as ex officio members?
- Should it be appointed by the cities and towns?
- Should it be appointed by the Governor?
- Should it be popularly elected?
- Should it be selected by a combination of methods? Some members might be appointed by the Governor, others might be appointed by the cities and the towns, and still other members might be elected.

A third question involves the United States Supreme Court's "one-man, one-vote" ruling. If the designers of the governing body decide to have the members appointed by the Governor or elected at-large, the Court's ruling will not have to be considered. If members are elected by districts, the electoral system will have to be based upon equal population districts. The unit system of representation --each city and each town is represented by one member--can be employed only if weighted voting is adopted. Under a system of weighted voting, the weight of the vote cast by each member is in direct proportion to the population he represents.

Provision must be made for the adjustment of the boundaries of the regional government to cope with changing conditions. We have had enough experience with immutable municipal boundaries to know that they are undesirable. A boundary commission could be created as part of the new regional entity and be authorized to determine its initial boundaries and later make adjustments by applying prescribed criteria.

Who should design the new regional unit? This probably is the most difficult question that has to be answered. One possibility is the enactment of a law by the General Court authorizing the appointment or election of a commission charged with the duty of drafting a charter for a regional unit and submitting the charter to the electorate. A second alternative

would be for the General Court to design the new unit. A third possibility would be the passage of a law by the General Court empowering the Governor to appoint a commission with authority to conduct research, hold public hearings, and prepare a plan for a middle tier local government. The plan would become effective ninety days after its presentation to the next session of the General Court unless vetoed by it. Cities and towns, either through MAPC or an ad hoc organization, could be afforded the opportunity to prepare an alternative plan which would become effective if it is approved by the commission and is not vetoed by the General Court.²¹

NOTES

1. "Statement of John J. McCarthy, President of the Metropolitan Area Planning Council, on H.5011 before the Committee on Urban Affairs, February 24, 1972."
2. Governmental Structure, Organization, and Planning in Metropolitan Areas (Washington, D.C.: Advisory Commission on Intergovernmental Relations, 1961), p.34.
3. Housing and Urban Development Act of 1965, 75 STAT. 502, 20 U.S.C. § 461 (g) (1965).
4. Demonstration Cities and Metropolitan Development Act of 1966, 80 STAT. 1255, 42 U.S.C. §§ 3301-314 (1966).
5. Massachusetts General Laws, chap. 40B, § 24.
6. Joseph F. Zimmerman, "Metropolitan Ecumenism: The Road to the Promised Land?" Journal of Urban Law, Spring 1967, pp.433-57. For an excellent discussion of COGs and other concepts of regional organization, see the Report Relative to Regional Government (Boston: Legislative Research Council, August 1970) prepared by Robert J.M. O'Hare.
7. Zimmerman, "Metropolitan Ecumenism," pp.433-57.
8. Melvin B. Mogulof, Governing Metropolitan Areas: A Critical Review of Councils of Governments and the Federal Role (Washington, D.C.: The Urban Institute, 1971), p.112.
9. Ibid., p.115.
10. Minnesota Statutes, chap. 473B.
11. Knapp v. O'Brien, 179 N.W. 2d 88 (1970).
12. Stanley Baldinger has written that "the Twin Cities area has developed the most promising and innovative means yet to plan and govern major metropolises." See his Planning and Governing the Metropolis: The Twin Cities Experience (New York: Praeger Publishers, 1971), p.215. See also John Fischer, "The Minnesota Experiment: How to Make a Big City Fit to Live In," Harper's Magazine, April 1969, pp.12, 17-18, 20, 24, 26, 28, 30, and 32.
13. Joseph F. Zimmerman, Metropolitan Charters (Albany: Graduate School of Public Affairs, State University of New York, 1967), pp.185-95.

14. Guthrie S. Birkhead, Alan K. Campbell, and Marsha Weissman, Massachusetts Substate Government: A Report to the Secretary of Environmental Affairs (Syracuse: Metropolitan Studies Program, Maxwell School, Syracuse University, August 15, 1972), p.83.
15. Constitution of the United States, art. 1, § 10.
16. New York Laws of 1967, chap. 717.
17. Avery v. Midland County, Texas et al, 390 U.S. 474 (1968).
18. For the most complete and up-to-date information on county government, see the Advisory Commission on Intergovernmental Relations' Profile of County Government (Washington, D.C.: United States Government Printing Office, January 1972).
19. See also the Report of the Special Commission Relative to the Modernization of County Government. House No. 6125 (Boston: The Commonwealth of Massachusetts, August 1970).
20. Joseph F. Zimmerman, "A Chief Executive for Albany County?" An address delivered at a meeting of Citizens for a County Executive, Albany, New York, February 17, 1972.
21. For further details, see Joseph F. Zimmerman, "Substate Regional Government: Drafting a New Procedure," National Civic Review, June 1972, pp.286-90.

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